

**VILLAGE OF SISTER BAY BOARD OF TRUSTEES MEETING MINUTES**  
**WEDNESDAY, NOVEMBER 16, 2016**  
**SISTER BAY VILLAGE HALL – 10693 N. BAY SHORE DRIVE**

The November 16, 2016 meeting of the Village of Sister Bay Board of Trustees was called to order by Village President Dave Lienau at 6:00 P.M.

**Present:** President Lienau and Trustees Scott Baker, Denise Bhirdo, Nate Bell, Pat Duffy and John Clove.

**Excused:** Kathy Enquist

**Staff Members:** Village Administrator Zeke Jackson and Assistant Administrator Janal Suppanz.

**Others:** Laddie Chapman, Chris Schmeltz, Jody and Patsy Wuollette, Greg Casperson, Becky Kerwin, Jerry and Vicki Sabalus, Penny and Paula Anschutz, Ralph Blankenburg, Keith Tielens and three other individuals.

**Approval of the Agenda as published:**

*A motion was made by Duffy, seconded by Clove that the Agenda for the November 16, 2016 meeting of the Village of Sister Bay Board of Trustees be approved as presented. Motion carried – All ayes.*

**Approval of the minutes for the November 3, 2016 meeting of the Village Board:**

*Bhirdo indicated that she believes the sentence which begins at the end of Line 12 – Page 8 of the November 3, 2016 meeting minutes should be revised in such fashion that it reads: The Trustees jointly reviewed all the previously mentioned documents, and it was the consensus that (6) of Section 2 of the Development Agreement should be revised in such fashion that it reads:*

- 6. Parking will be evaluated in approximately 1 year by the Plan Commission. The Village is in the process of developing a Village-wide Parking Plan, and the Developer will be compelled to comply with the terms and conditions of that plan once it is fully approved, adopted and implemented by the Village.*

*She also noted that she believes the following statements should be inserted after the sentence which ends on Line 30 – Page 9 of the November 3, 2016 meeting minutes: "It was also the consensus that the following sub-section should be added to Section 2 of the Development Agreement:*

- 5. Parking will be evaluated in approximately 1 year by the Plan Commission. The Village is in the process of developing a Village-wide Parking Plan, and the Developer will be compelled to comply with the terms and conditions of that plan once it is fully approved, adopted and implemented by the Village."*

*A motion was made by Clove, seconded by Baker that the minutes for the November 3, 2016 meeting of the Village Board be approved as corrected. Motion carried – All ayes.*

1 **Comments and correspondence:**

2 Lienau asked if anyone wished to comment regarding a non-agenda item. No one  
3 responded. Jackson noted that Larry Gajda will be retiring soon, and, therefore, he sent a  
4 letter indicating that he would like to resign from the Economic Development Committee.  
5 The Trustees indicated that they would like to publicly thank Gajda for his service to the  
6 community and wished him well.

7  
8 **Item No. 1. Presentation by Becky Kerwin of the Door County Planning Department**  
9 **regarding the County's Hazard Mitigation Plan; discussion regarding that plan; consider**  
10 **relevant motions for action:**

11 Back in June the Village Board adopted the Door County Hazard Mitigation Plan. At that  
12 time the Trustees requested that someone from the County be asked to make a brief  
13 presentation regarding several aspects of the plan at a later date, and, therefore, Becky  
14 Kerwin, a staff member in the County's Planning Department, was in attendance. Kerwin  
15 indicated that the Door County EMS Department developed the Door County Hazard  
16 Mitigation Plan, which was created with funds received as the result of a FEMA grant, so  
17 that the County and the five participating municipalities - the City of Sturgeon Bay, the  
18 Village of Forestville, the Village of Egg Harbor, the Village of Ephraim, and the Village of  
19 Sister Bay would be in a position to apply for pre-disaster and post-disaster grant funding. In  
20 2000 Congress passed the Disaster Mitigation Act, which is intended to reduce public and  
21 private expenses associated with disasters and speed up response time to and reduce  
22 recovery time from disasters. The purpose of this act and the Door County Hazard  
23 Mitigation Plan is "to reduce the loss of life and property, human suffering, economic  
24 disruptions and disaster assistance costs resulting from natural disasters." An additional  
25 purpose of the Door County Hazard Mitigation Plan is to address similar issues resulting  
26 from non-natural disasters. The Board members jointly reviewed the Hazard Mitigation  
27 Plan, and during the review process Kerwin answered questions which arose. She also noted  
28 that there is a provision that if a municipality wishes to apply for pre-disaster and post-  
29 disaster funding it must have enacted regulations which comply with the Federal Code with  
30 respect to flood plain insurance. Based upon her research Kerwin does not believe those  
31 regulations have been enacted in the Village of Sister Bay or the Village of Forestville.  
32 Jackson cautioned that if the previously mentioned regulations are enacted there may be  
33 some areas in the Village which could be deemed to be "unbuildable". The question arose as  
34 to which departments would be responsible for addressing some of the issues identified in  
35 the plan, and Kerwin replied that such issues should be referred to the County's Emergency  
36 Services Department and/or the Sister Bay-Liberty Grove Fire Department. The Trustees  
37 thanked Kerwin for taking the time to attend this meeting and requested that Jackson do  
38 some research regarding flood plain insurance and present his findings at a future Village  
39 Board meeting.

40  
41 **Item No. 2. Public Hearing on a Planned Unit Development Ordinance for Sister Bay**  
42 **Marketplace; discussion regarding Ordinance No. 245 authorizing a PUD for Sister Bay**  
43 **Marketplace; consider an appropriate motion for action:**

44 *At 6:31 P.M. Lienau called the Public Hearing on Ordinance No. 245 which amends the Official Map*  
45 *for the Village of Sister Bay and creates the Sister Bay Marketplace Planned Unit Development*  
46 *(PUD) to order.*

1 This issue was reviewed at ten previous publicly noticed meetings of the Village's Economic  
2 Development Committee, the Plan Commission, the Utilities Committee and the Village  
3 Board. One of the meetings of the Economic Development Committee was a duly noticed  
4 community input meeting, and notices were mailed out to all property owners within 1,000'  
5 of the property in question. At that meeting approximately forty people were separated into  
6 teams, and eventually a Consensus Plan for development of the site was created. A public  
7 hearing was also conducted by the Plan Commission regarding this matter on March 22,  
8 2016, and the Commission has recommended that the PUD be approved. This public hearing  
9 is the result of months of negotiations between multiple parties to solidify the final  
10 Development Plan. At tonight's meeting the Village Board will be asked to consider adoption  
11 of Ordinance No. 245, which amends the Official Map for the Village of Sister Bay and  
12 creates the Sister Bay Marketplace Planned Unit Development.

13  
14 Lienau asked if anyone wished to comment regarding this matter.  
15

16 Penny Anschutz of the Sister Bay Bowl stated that she is concerned about there being  
17 insufficient parking for Sister Bay Marketplace. She was born and raised in Sister Bay, and  
18 was of the understanding that every business had to have sufficient on-site parking for their  
19 customers. She also stated that she doesn't understand the new liquor licensing regulations,  
20 and wonders "when it is going to end". Lienau and Jackson responded that Village officials  
21 enacted a parking regulation moratorium in 2008. That moratorium was intended to spur  
22 growth and development, but it has now expired. They also noted that the Village Board is  
23 aware of the parking issues which exist at this time, and an ad hoc Parking Committee has  
24 been created. The members of that committee will be asked to identify the parking issues  
25 which do exist and suggest potential solutions to those issues.  
26

27 Paula Anschutz stated that she believes "the Village is becoming over-saturated with  
28 restaurants" and asked if those in attendance could be updated on the status of the work  
29 which will be done on the Sister Bay Marketplace property. Jackson responded that a  
30 driveway will be eliminated. He also indicated that bids will be re-solicited for infrastructure  
31 improvements as the first round of bids came in much higher than was expected. At that  
32 point Anschutz asked if she could review the plans for Sister Bay Marketplace, and she was  
33 informed that the plans are available at the Village Office.  
34

35 Fred Lang asked if parking will be allowed on Bittersweet Lane. Lienau explained that  
36 Bittersweet Lane is located in another area of the Village, and, therefore, any parking issues  
37 associated with that roadway cannot be addressed at this hearing. He did indicate that he  
38 intends to refer that issue to the Parking Committee.  
39

40 *At 6:50 P.M. Lienau asked if anyone else wished to comment, and when no one responded he declared*  
41 *that the public hearing was officially closed.*  
42

43 *A motion was made by Duffy, seconded by Clove that the Village Board accepts the recommendation*  
44 *of the Plan Commission and adopts Ordinance No. 245, which amends the Official Map for the*  
45 *Village of Sister Bay and creates the Sister Bay Marketplace Planned Unit Development (PUD) as*  
46 *presented, on the condition that the PUD and all related documents must be formally approved by the*  
47 *Village Attorney. Motion carried – All ayes.*  
48

**Item No. 3. Consider a motion to discuss and confirm President Lienau's appointments:**

*Lienau stated that at this time he didn't wish to recommend any Committee or Commission appointments.*

**Item No. 4. Report on County activities from the County Supervisor, Dave Lienau:**

Lienau gave the following oral report:

- Yesterday the County Board approved the County's \$83,000,000 budget for 2017. There was a misquote in the Advocate which states that he said, "It's a shame that there is an \$83,000,000 budget, and none of the supervisors had any input on that budget.". What he actually said is, "It's a shame that there is an \$83,000,000 budget and no members of the public appeared to provide input on that document."
- The Fair Board met today, and County officials are looking for input as to what direction the fair should take in the future. Attendance at that event is down significantly but expenses keep going up.

**Item No. 5. Report by the Village Administrator on Village activities and projects:**

Jackson gave the following oral report:

- Excavation work has started on the lot that the new CHOP restaurant will be constructed on.

**Committee Reports:**

**(1) Administrative Committee:**

The Administrative Committee has not met recently.

**(2) Communication and Technology Committee:**

The Communication and Technology Committee has not met recently.

**(3) Door County Coastal Byways Commission:**

Due to the fact that Enquist was not present no report was given.

**(4) DCEDC:**

The DCEDC has extended an offer of employment to Caleb Frostman.

**(5) Economic Development Committee:**

The Economic Development Committee has not met recently.

**(6) Finance Committee:**

The Finance Committee has not met recently.

**(7) Fire Board and Fire District Exploratory Committee:**

No action based on the minutes which were included in the meeting packets.

The Fire District Exploratory Committee has not met recently.

1     **(8) Historical Society:**

2     The Historical Society met in October and November and the main topics of discussion  
3     were placement of the new storage building and website revisions. The Historical  
4     Society's Christmas Party has been scheduled for Friday, December 2, 2016 and  
5     everyone is invited to attend that event.  
6

7     **(9) Library Commission:**

8     No action based on the minutes which were included in the meeting packets.  
9

10    **(10) Marina Committee and Marina Fest Committee:**

11    No action based on the minutes which were included in the meeting packets.  
12

13    **(11) Parks:**

14    The Parks Committee met on November 2, 2016 but those minutes have not been  
15    completed yet.  
16

17    **(12) Personnel Committee:**

18    No action based on the minutes which were included in the meeting packets. The  
19    Personnel Committee met yesterday and the Committee approved of the creation of a  
20    Maintenance Technician II position. Joe Felhofer will now be performing those job  
21    duties.  
22

23    **(13) Plan Commission:**

24    No action based on the minutes which were included in the meeting packets.  
25

26    **(14) SBAA:**

27    No action based on the minutes which were included in the meeting packets. Chris  
28    Milligan volunteered to be the SBAA's representative on the Parking Committee.  
29

30    **(16) Youth Center:**

31    The Youth Center Board met on November 11, 2016 but those minutes have not been  
32    completed yet.  
33

34    **(17) Tourism Zone Commission:**

35    No action based on the minutes which were included in the meeting packets. Based on  
36    the reports which have been received to date occupancy rates are up considerably.  
37

38    **(18) Utilities - Water, Sewer, and Storm Sewer Committees:**

39    No action based on the minutes which were included in the meeting packets.  
40

41    **(19) Administration/Compensation Oversight:**

42    The Administration/Compensation Oversight Committee has not met recently.  
43

44    **Item No. 9. Discussion regarding matters to be placed on a future agenda or referred to a**  
45    **Committee, official or employee:**

46    *It was the consensus that:*

- 47       • *Discussion regarding flood plain insurance shall be addressed at a future meeting of the*  
48        *Village Board.*

**Item No. 6. Consider a motion to convene into executive session pursuant to Wis. Stats., §19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and Wis. Stats., §19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of public funds, or conduct other specified public business, whenever competitive or bargaining reasons require a closed session:**

*At 7:04 P.M. a motion was made by Lienau, seconded by Bhirdo that the Village Board convene into executive session pursuant to Wis. Stats., §19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and Wis. Stats., §19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of public funds, or conduct other specified public business, whenever competitive or bargaining reasons require a closed session. A roll call vote was taken on that motion and the Board members voted in the following fashion:*

*Baker – Aye; Bell – Aye; Bhirdo – Aye; Clove – Aye; Duffy – Aye; Lienau – Aye*

*Motion carried.*

**Item No. 7. Consider a motion to reconvene into open session:**

*At 8:01 P.M. a motion was made by Lienau seconded by Clove that the Village Board reconvene into open session. Another roll call vote was taken and the Board members voted in the following fashion:*

*Baker – Aye; Bell – Aye; Bhirdo – Aye; Clove – Aye; Duffy – Aye; Lienau – Aye*

*Motion carried.*

**Item No. 8. Consider a motion to take action if required:**

*No formal action was taken.*

**Adjournment:**

*A motion was made by Clove, seconded by Baker to adjourn the meeting of the Village Board at 8:05 P.M. Motion carried – All ayes.*

Respectfully submitted,



Janal Suppanz,  
Assistant Administrator